



ARLINGTON REDEVELOPMENT BOARD

Arlington, Massachusetts  
Middlesex, ss.

DOCKET NO. 3260

REQUEST FOR SPECIAL PERMIT  
Subject to  
ENVIRONMENTAL DESIGN REVIEW

Petitioner Symmes Redevelopment Associates

Date of Hearing April 4, 2005

Date of Decision June 13, 2005

Date of Filing June 22, 2005

Members Present:

Approved

Denied

Edward T. H. Tan  
Bruce Laubman  
Lynn J. Bester  
W. J. H.

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Town Clerk's Certification

## **OPINION OF THE BOARD**

This is a decision on an application by Symmes Redevelopment Associates (SRA) for special permits needed to construct a medical office building (MOB) on a portion of the site of the former Symmes Hospital in the Multi-Use zoning district. SRA proposes to demolish the wooden portion at the rear of the existing nurses building, rebuild it, and renovate the remainder of the building to provide a 26,100 sf building. The proposed building is part of the fulfillment of a proposal to redevelop the entire 18 acre site which is an urban renewal site identified as the Symmes Arlington Conservation and Improvement Project. The redevelopment of the site is governed by an urban renewal plan adopted by the Town Meeting of October 1, 2001 (on 1/16/2002) and amended by the Town Meeting of May 5, 2003 (on 5/12/2003). The redevelopment of the site is further governed by a Land Disposition Agreement (LDA) between SRA and the Arlington Redevelopment Board (dated August 25, 2004) as amended.

The application states that the building is 26,000 to 40,000 sf in size, but the plans submitted are for a 26,100 sf building. This is intended to put the Board on notice that in keeping with the expressed desire of the urban renewal plan and LDA that if it is possible for the applicant to build a building larger than 26,100 sf, SRA will seek an amendment of the special permit to allow it to do so. The impacts evaluated by the Board are based on a building of 40,000 sf in size, but the physical dimensions of the building proposed are for a 26,100 sf building. The permits authorized by this decision are therefore for a 26,100 square foot medical office building.

### **FINDINGS OF FACT**

**Section 10.11a-1      The uses requested are listed in the Table of Use Regulations as a Special Permit in the district for which application is made or is so designated elsewhere in this Bylaw.**

The use requested by the applicant is consistent with the uses listed as use 6.20 in the Table of Use Regulations and is allowed by special permit in the MU zoning district.

**Section 10.11a-2 -      The requested use is essential or desirable to the public convenience or welfare.**

The requested use was sought by the Town in its request for proposals to redevelop the site. Medical use on the site has been the cornerstone of much of the discussion surrounding the project over the last four years and continues the most recent use of the site. The Board finds that the proposal is desirable to the public convenience and welfare.

**Section 10.11a-3 -      The requested use will not create undue traffic congestion, or unduly impair pedestrian safety.**

The traffic impacts of the entire proposed development (MOB plus residential) have been evaluated by the Symmes Transportation Subcommittee of the Town's Transportation Advisory Committee. The committee's report dated April 11, 2005 provides a very thorough analysis of the traffic impacts and makes recommendations for mitigating the impacts. SRA has submitted material to the

Board documenting that the road system currently in existence meets or exceeds the needs of the traffic expected to be generated at the site on account of the medical office building . This finding reflects the assessment that, based on that material, the proposed medical office building will generate traffic at roughly the same level as the most recent use of the site, which does not result in congestion, and far less than the earlier hospital use. The Board therefore finds that the proposed medical office building will not create undue traffic congestion or impair pedestrian safety.

**Section 10.11a-4 - The requested use will not overload any public water drainage or sewer system or any other municipal system to such an extent that the requested use or any developed use in the immediate area or in any other area of the Town will be unduly subjected to hazards affecting health, safety, or the general welfare.**

The proposed medical office building and associated parking will create slightly more impervious surface (because of the larger parking structure) than exists today. SRA has submitted calculations to the Board estimating that the the runoff to be collected will be somewhat greater than today, and that the sewage flow from the medical office building will be similar to that generated by the most recent active use of the site. Based on these calculations and the plans labeled C2.00 dated 6/9/05, the Board finds that the project meets the standard, and that since the sewage flow generated by the proposed medical office building is similar to that generated by the existing use, the public systems will not be overloaded.

**Section 10.11a-5 - Any special regulations for the use, set out in Article 11 are fulfilled.**

The environmental review standards of Section 11.06 are evaluated below.

**EDR-1 Preservation of Landscape: The landscape shall be preserved in its natural state insofar as practicable, by minimizing tree and soil removal and any grade changes shall be in keeping with the general appearance of neighboring developed areas.**

As a condition of redeveloping the entire site, the developer is required to preserve at least half the site as open space. The spaces are largely the existing treed areas on the site and they will be protected by a Conservation Restriction executed in favor of the Arlington Conservation Commission and the Arlington Land Trust. Much of the area that will be preserved as open space is on the borders of the site and forms a natural buffer between the development and the neighboring areas.

The reconstruction of the rear of the existing nurses residence building will require some clearance of vegetation at the rear of the existing building. There will remain extensive, additional, treed, open space between the proposed structure and neighboring properties. Additional planting is planned at the front of the renovated building and in front of the proposed parking structure. The Board finds that the proposed landscaping and the protections afforded the open spaces by means of the Conservation Restriction will maintain as much of the natural landscape as possible.

**EDR-2 Relation of the Building to the Environment: Proposed development shall be related harmoniously to the terrain and to the use, scale and architecture of the**

**existing buildings in the vicinity that have functional or visible relationship to the proposed buildings. The Arlington Redevelopment Board may require a modification in massing so as to reduce the effect of shadows on the abutting property in an R-1 or R-2 district or on public open space.**

The proposed medical office building utilizes the existing nurses residence building which was built in 1918. Use of the building was not in the developer's original proposal, but the Town's wish to preserve some of the older structures on the site led the developer to reconsider and eventually commit to re-using the structure. The building exists today and the developer has agreed to use it as the base of the medical office building. The applicant submitted shadow studies of the building. The shadows generated by the proposed building and parking structure are little different than the shadows generated by the building today. The proposed medical office building meets the standards of the EDR-2.

**EDR-3 Open Space: All open space (landscaped and usable) shall be so designed as to add to the visual amenities of the vicinity by maximizing its visibility for persons passing by the site or overlooking it from nearby properties. The location and configuration of usable open space shall be so designed as to encourage social interaction, maximize its utility and facilitate maintenance.**

The applicant is creating a separate lot for the proposed medical office building. The lot must comply with the open space requirement for the district. The application indicates that the building proposed is approximately 26,100 sf in area which means that 13,050 sf of landscaped open space and 3,915 sf of usable open space must be provided. The plan shows that more than 26,000 sf of open space is provided and more than 4,000 sf meets the definition of usable open space. The main building currently exists, so most of the open space provided is located at the rear of the building and parking structure. The area serves as a buffer between the development and the neighborhood on Oak Hill Drive and its preservation was requested by the Town. The front of the building and adjacent, new parking structure will receive extensive new landscaping. The proposal meets the standard of EDR-3.

**EDR-4 Circulation: With respect to vehicular and pedestrian and bicycle circulation, including entrances, ramps, walkways, drives, and parking, special attention shall be given to location and number of access points to the public streets (especially in relation to existing traffic controls and mass transit facilities), width of interior drives and access points, general interior circulation, separation of pedestrian and vehicular traffic, access to community facilities, and arrangement of vehicle parking and bicycle parking areas, including bicycle parking spaces required by Section 8.13 that are safe and convenient and, insofar as practicable, do not detract from the use and enjoyment of proposed buildings and structures and the neighboring properties.**

Access to the building and the parking structure will be improved by construction of a drop off and entrance to the parking structure in the front of the building. The parking structure has two entrances and exits as the two levels are served separately. In addition to the major access to the building for pedestrians and vehicles, the plan anticipates that "rustic" paths may be provided in the open space area, running from Summer Street up to Hospital Road in the vicinity of the medical office building. Such a path or paths have been proposed in response to a request heard at public meetings. MBTA bus service currently serves the site and is expected to continue after the

redevelopment. Eight bicycle parking spaces are required, and have been located on the lower level of the parking structure. The Board finds that the proposal meets the circulation standard.

**EDR-5 Surface Water Drainage:** Special attention shall be given to proper site surface drainage so that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system. Available Best Management Practices for the site should be employed, and include site planning to minimize impervious surface and reduce clearing and re-grading. Best Management Practices may include erosion control and stormwater treatment by means of swales, filters, plantings, roof gardens, native vegetation, and leaching catchbasins. Stormwater should be treated at least minimally on the development site; that which cannot be handled on site shall be removed from all roofs, canopies, paved and pooling areas and carried away in an underground drainage system. Surface water in all paved areas shall be collected at intervals so that it will not obstruct the flow of vehicular or pedestrian traffic, and will not create puddles in the paved areas.

The existing site is served by a limited storm water collection system in which there is extensive surface water runoff required before stormwater enters any collection system. The proposed stormwater system for the site as shown on plans labeled C3.01 and C3.02 dated 5/20/05 and amended 6/3/05 increases the number of collectors (catchbasins) to reduce surface flow, thus the Board finds that the proposal meets the standard set forth in EDR-5.

**EDR-6 Utilities Service:** Electric, telephone, cable, TV, and other such lines of equipment shall be underground. The proposed method of sanitary sewage disposal and solid waste disposal from all buildings shall be indicated.

Electricity is delivered to the site by overhead wires to a location on Hospital Road in the vicinity of the proposed medical office building (and across the street). The applicant proposes delivering electrical power via underground conduit from this location to the medical office building. Currently gas and water enter the site from Summer St through the "Summer Street Woods". The pipes pass by the west side of the existing nurses residence. These two utilities will be replaced in the same location. The medical office building will connect to the existing sewer line near the nurses residence building; the existing line from the nurses residence to Summer Street will most likely not be replaced unless it is necessary. Waste disposal is accomplished via dumpsters shown on the plans. The proposal meets the standards of EDR-6.

**EDR-7 Advertising Features:** The size, location, design, color, texture, lighting and materials of all permanent signs and outdoor advertising structures or features shall not detract from the use and enjoyment of proposed buildings and structures and the surrounding properties.

As is common in initial submissions for EDR review, advertising features have not been shown in great detail in the plans at this time. With the exception of the placement of a sign at the entrance to Hospital Road on Summer Street and some other locations, details are not given. Satisfaction of this standard is a condition of the Board's approval of the special permits that must be satisfied at the review of 100% progress drawings.

**EDR-8 Special Features:** Exposed storage areas, exposed machinery installations, service areas, truck loading areas, utility buildings and structures, and similar accessory areas and structures shall be subject to such setbacks, screen plantings or other screening methods as shall reasonably be required to prevent their being incongruous with the existing or contemplated environment and the surrounding properties.

The mechanical equipment external to the building is placed on the roof, as shown on the plans and is shielded by a permanent architectural screen surrounding the roof on the wing on the right side of the existing building. The applicant has requested a special permit relative to required loading space. According to Section 8.02 of the Bylaw, one loading space is required for an office building up to 50,000 sf in size. This section of the bylaw gives the Board the ability in the special permit process to reduce the requirement if it finds that it “will not be detrimental to the structure or surrounding uses”. The Board has determined that a loading space of reduced size shown on drawing L1 dated 5/2/05, issued 6/9/05 is adequate to serve the proposed building. The loading space will require a permanent easement over adjacent property if the MOB parcel is subdivided from the rest of the property as is anticipated. The proposal meets the standards of EDR-8.

**EDR-9 Safety:** With respect to personal safety, all open and enclosed spaces shall be designed to facilitate building evacuation and maximize accessibility by fire, police and other emergency personnel and equipment. Insofar as practicable, all exterior spaces and interior public; and semi-public spaces shall be so designed to minimize the fear and probability of personal harm or injury by increasing the potential surveillance by neighboring residents and passersby of any accident or attempted criminal act.

The proposed medical office building utilizes the existing nurses residence building and is located fairly close to the roadway. The open spaces in this location are fairly limited and are devoted largely to pedestrian and vehicle circulation. Building emergency egress is provided from the sides and rear of the building into spaces that are simply open space and available for access in the event of emergency. Exterior lighting is detailed in the plans submitted and adequately illuminates the circulation areas and the parking structure. Care has been taken that no lighting source should be visible from off the site or from the nearby residential buildings. The proposal meets the standards of EDR-9.

**EDR-10 Heritage:** With respect to Arlington's heritage, removal or disruption of historic, traditional, or significant uses, structures or architectural elements shall be minimized insofar as practical whether these exist on the site or on adjacent properties.

A portion of the hospital building and the entire nurses residence building are listed as significant buildings in terms of the Arlington Town Bylaw. The Arlington Redevelopment Board, owner of the buildings, sought the permission of the Arlington Historical Commission to demolish both buildings. Simultaneously, the Redevelopment Board prevailed upon the developer to rethink that plan to see if they could save the nurses residence building. The developer responded by creating a plan to do just that. In addition, the developer has made arrangements to incorporate historical artifacts in other parts of the site which will be detailed in the application for the development of the remainder of the site. The Board finds that the applicant meets the standard of EDR-10.

**EDR-11 Microclimate: With respect to the localized climatic characteristics of a given area, any development which proposes new structures, new hard surface, ground coverage or the installation of machinery which emits heat, vapor or fumes shall endeavor to minimize insofar as practicable, any adverse impacts on light, air and water resources or on noise and temperature levels of the immediate environment.**

The expansion of the existing parking area creates more impervious surface than the existing nurses residence building and the proposed HVAC equipment consistent with a modern building will add to the emissions associated with heating and cooling of the proposed building. The elevation of the site relative to the surrounding topography likely makes such emissions unnoticeable. Both the increases are considered minimal. The Board finds that the proposal meets the standard of EDR-11.

**Section 10.11a-6      The requested use will not impair the integrity or character of the district or adjoining districts, nor be detrimental to the health, morals, or welfare.**

The medical office building that is proposed is the development that the Town requested as a result of an exhaustive citizen participation process shepherded by the Symmes Advisory Committee. The requested use was considered to meet most of the many goals the Town sought for the redevelopment of the site. The proposed development continues the medical services as has historically operated on the site. The proposal meets the standard of Section 10.11a-6.

**Section 10.11a-7      The requested use will not, by its addition to a neighborhood, cause an excess of that particular use that could be detrimental to the character of said neighborhood.**

The proposed use (6.20 in the Table of Use Regulations) does not currently exist in the neighborhood and thus the Board finds that the proposal meets the standard of Section 10.11a-7.

### **DECISION**

Based on the foregoing findings of facts, the Board grants special permits for and in respect with the following sections of the Zoning Bylaw in accordance with the plans and specifications and subject to the conditions set forth below and directs that this decision be filed in the Office of the Town Clerk:

Section 5.04 Table of Use Regulations  
Use 6.20 Office  
Section 6.27 Setbacks under Environmental Design Review  
Section 7.09 Signs  
Section 8.02 Loading Requirements  
Section 8.12 a.(11) Parking

The following are conditions to the permits issued by the Arlington Redevelopment Board:

#### **General Conditions**

1. The final plans and specifications listed in Appendix A, and approved by the Board for this permit shall be the final plans and specifications submitted to the Building Inspector of the Town of Arlington in connection with this application for building permits. There shall be no material

deviation during construction from the approved plans and specifications without the express written approval of the Arlington Redevelopment Board.

2. The final plans and specifications for the site, including all buildings, signs, exterior lighting, and landscaping are under the jurisdiction of the Arlington Redevelopment Board and shall be consistent with the requirements of this permit in all respects. The Board shall maintain its jurisdiction over plans and specifications by approving them at 50% and 100% of completion. At the time of submission of the 50% drawings, the applicant shall submit for approval samples of exterior materials proposed for the building. Final plans and specifications shall include complete information concerning colors, materials, lighting and other features that comprise the details of the final design. At the time of submission of 100% drawings, the applicant shall submit signage proposals for the project.

3. Snow removal from all parts of the site, as well as from any abutting public sidewalks, shall be the responsibility of the owner or occupant and shall be accomplished in accordance with the Town Bylaws.

4. All exterior trash and storage areas, on the property if any, shall be properly screened and maintained in accordance with Article 30 of the Bylaws of the Town of Arlington.

5. Trash shall be picked up only on weekdays and only between the hours of 7:00 a.m. and 6:00 p.m. and on Saturdays between 9:00 a.m. and 3:00 p.m. Trash collection and disposal is not the responsibility of the Town.

6. No final or permanent Certificate of Occupancy shall issue for the medical office building until it is completed in its final form and approved by the Redevelopment Board as being in substantial compliance with the final plans and specifications, including the landscape plan.

7. The Building Inspector is hereby notified that he is to monitor the site and should proceed with appropriate enforcement procedures at any time he determines that violations are present. The Inspector of Buildings shall proceed under Section 10.09 of the Zoning Bylaw, under the provisions of Chapter 40A Section 21D, and institute non-criminal complaints. If necessary, the Inspector of Buildings may also approve and institute appropriate criminal action also in accordance with Section 10.09.

8. The Board maintains continuing jurisdiction over this permit and may, after a duly advertised public hearing, attach other conditions or modify these conditions as it deems appropriate in order to protect the public interest and welfare. The Board's authority to re-open the permit for any purpose other than enforcement of existing conditions is limited to modifications made necessary by the presence of unforeseen conditions and for circumstances that were not present at the time of the granting of the permit.

### **Special Conditions**



1. All utilities serving or traversing the medical office building site (including electric, telephone, cable TV, and other such lines and equipment) shall be underground from the point of Verizon pole number 701-6 on Hospital Road.
2. Upon installation of landscaping materials and other site improvements, the petitioner shall remain responsible for such materials and improvements and shall replace and repair as necessary to remain in compliance with the approved site plan.
3. All utility work off site in public rights-of-way of the Town of Arlington shall be undertaken in accordance with the provisions of the Bylaws of the Town and the Neighborhood Protection Plan cited below.
4. Upon the issuance of the building permit, the petitioner shall file with the Building Inspector and the Department of Community Safety the names and telephone numbers of contact personnel who may be reached 24 hours each day during the construction period.
5. The following measures are drawn from the recommendations contained in the Transportation Advisory Committee (TAC) Report dated April 11, 2005. The TAC report should be consulted for elaboration on the conditions but only those conditions listed below are required by this special permit (numbering of conditions corresponds to TAC Report).

**Task E: Public Transportation**

- E.1 The applicant and its successors shall not take any action that would discourage a shuttle bus operating from the site to Alewife Station and town.
  - E.2 The applicant and its successors shall not take any action that would discourage working with the MBTA to increase Route 67 service to site and area.
  - E.4 The applicant and its successors shall not take any action that would discourage tenants of medical office building to employ transportation demand management.
6. The proposed development must be carried out in accordance with the Land Disposition Agreement between the Arlington Redevelopment Board and Symmes Redevelopment Associates, dated August 25, 2004, as amended.
  7. So as to preserve and protect the areas of the Project Area that will ultimately be protected by the Conservation Restriction and Public Access Easement described in Section 2 of the Land Disposition Agreement and in Special Condition 11 below, prior to the time the Conservation Restriction and Public Access Easement is in effect, the applicant shall comply with the provisions of Exhibit A, entitled INTERIM DECLARATION OF RESTRICTIONS FOR THE CONSERVATION AREAS AT THE FORMER SYMMES HOSPITAL, ARLINGTON, MASSACHUSETTS (the "Interim Restrictions"), to the extent such Interim Restrictions are applicable to the MOB site. All activities on the MOB site must be carried out in accordance with the Interim Restrictions.

8. All activities must be carried out in accordance with the Neighborhood Protection Plan dated May 17, 2005 and agreed to by the applicant.

9. The applicant shall provide a mock up of materials and colors for Arlington Redevelopment Board review at the site at the Board's reasonable request and prior to or during construction.

10. The planting of trees on the site shall be done in accordance with the landscaping plan. Trees six inches in caliper or larger that must be removed in the course of construction in areas that are within the boundaries of the land covered by the Conservation Restriction and Public Access Easement and trees 12" in caliper or larger that must be removed in the course of construction elsewhere on the site shall be replaced on a caliper inch for caliper inch basis.

The applicant shall use best efforts and employ best practices to protect any trees designated as significant specimens by the Arlington Redevelopment Board and shall notify the Board in advance regarding any expected inability to comply.

11. Beginning as of the earlier of (a) the issuance of the final Certificate of Occupancy for the last residential unit to be developed in the Project Area (as defined in the LDA) by SRA in accordance with the LDA, and (b) five (5) years from the date of issuance of the first foundation permit for residential units to be developed in the Project Area by SRA in accordance with the LDA, the use of the site will also be governed by (i) the terms of a Conservation Restriction and Public Access Easement, in substantially the form attached to this Decision as Exhibit B, to be placed on the site and (ii) the terms of a Management Plan, substantially in the form attached hereto as Exhibit C. Notwithstanding the foregoing, in the event that special permits for the residential component have not been issued within two (2) years from the date of issuance of these special permits for the MOB component, the Board shall, with the approval of the Applicant, establish a revised deadline for the recording of the Conservation Restriction and Public Access Easement and the commencement of the obligations in the Management Plan, which revised deadline shall be tied to the development of the MOB. Until such time, the use of the MOB site will be governed by the terms of the Interim Restrictions (special condition 7 above), to the extent applicable to the MOB site.

Symmes Redevelopment Associates  
Medical Office Building  
Docket 3260

APPENDIX A

List of Drawings

T1.01	Title Sheet	March 11, 2005, rev. 6/9/05
X1.00, X1.01, X1.02	Existing Conditions	December 17, 2004
C1.00	M.O.B. Site Layout	June 9, 2005
C2.00	Site Utility	June 9, 2005
C3.00	Site Grading	June 9, 2005
L1	Site Landscaping	May 2, 2005, issued 6/9/05
L2	M.O.B. Lighting Plan	May 2, 2005, issued 6/9/05
A2.01 to A2.05	M.O.B. Floor Plan	March 11, 2005, rev. 6/9/05
A3.01	M.O.B. Elevations	March 11, 2005, rev. 6/9/05
A3.02	Site Views of Model	December 17, 2004
A4.01 to A4.04	Site Shadow Studies	December 17, 2004

Other Documents

Symmes Hospital Redevelopment, Transportation Overview, prepared by Howard / Stein-Hudson, September 13, 2004

Reports and Agreements

Transportation Advisory Committee Report dated April 11, 2005

Interim Declaration of Restrictions for the Conservation Areas at the Former Symmes Hospital, Arlington, Massachusetts

Neighborhood Protection Plan dated May 17, 2005

Offer to Correct Inflow & Infiltration in Sanitary Sewer, Letter from E.A. Fish Associates to Director of Public Works dated January 25, 2005